
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Michael A. Hammer
:
v. : Mag. No. 19-4315
:
ENRICO DICAPRIO : **CRIMINAL COMPLAINT**
a/k/a "Sergio Leone" :
a/k/a "Hakan Arikan" :


I, Postal Inspector Jose J. Davila, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Postal Inspector with the United States Postal Inspection Service, and that this complaint is based on the following facts:


SEE ATTACHMENT B

Continued on the attached page and made a part hereof:



Jose J. Davila, Postal Inspector
United States Postal Inspection Service

Sworn to and subscribed before me this
16th day of July, 2019, in Newark, New Jersey



HONORABLE MICHAEL A. HAMMER
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

Mail Fraud

From in or around December 2016 to in or around July 2019, in the District of New Jersey and elsewhere, the defendant,

ENRICO DICAPRIO
a/k/a "Sergio Leone"
a/k/a "Hakan Arikan,"

did knowingly and intentionally devise and intend to devise a scheme and artifice to defraud, and to obtain money and property from the victims by means of materially false and fraudulent pretenses, representations, and promises, which scheme and artifice would affect financial institutions, and for the purpose of executing and attempting to execute such scheme and artifice, did knowingly and intentionally place and cause to be placed in a post office and authorized depository of mail, and cause to be sent and delivered by the United States Postal Service, certain mail matter.

In violation of Title 18, United States Code, Section 1341.

ATTACHMENT B

I, Jose J. Davila, am a Postal Inspector with the United States Postal Inspection Service. I have knowledge of the following facts based upon both my investigation and discussions with other law enforcement personnel and others. Because this affidavit is being submitted for the limited purpose of establishing probable cause to support the issuance of a complaint, I have not set forth each and every fact that I know concerning this investigation. Where statements of others are related herein, they are related in substance and part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

Background

1. At all times relevant to this Complaint, Enrico DiCaprio, a/k/a "Sergio Leone," a/k/a "Hakan Arikan" ("DICAPRIO"), lived in the District of New Jersey. DICAPRIO previously resided in Hackensack, New Jersey, and currently resides in Edgewater, New Jersey.

2. Over the course of the scheme described in this Complaint, DICAPRIO owned and operated various companies, including Company A and Company B, in the District of New Jersey. In particular, DICAPRIO currently operates Company A out of a location in Hackensack, New Jersey, and previously operated Company A out of location in Oradell, New Jersey. DICAPRIO previously operated Company B out of a location in Midland Park, New Jersey.

3. In addition to Company A and Company B, DICAPRIO has used dozens of entity names and aliases as part of the scheme described in the Complaint. DICAPRIO is also associated with multiple online storefronts that sell furniture, accessories, and various home goods (collectively, including the entities referenced in Paragraphs 2 and 3, referred to as the "DiCaprio Companies").

4. Victim-1 and Victim-2 (collectively, the "Victims") are two international courier delivery service companies. The Victims are headquartered outside of the District of New Jersey.

5. Victim-1 and Victim-2 each maintain policies under which customers are able to seek compensation for lost, stolen, and/or damaged items shipped. Under a certain monetary loss threshold, customers need not provide proof of lost, stolen, or damaged items in order to obtain a reimbursement check. Customers are able to file claims for reimbursement over the Internet.

6. The investigation to date has included, among other things, a review of documents and records, witness interviews, and surveillance.

The Scheme

7. Beginning in or around December 2016 and continuing through July 2019, DICAPRIO did knowingly and intentionally devise and maintain a scheme and artifice to defraud, and to obtain money and property from the Victims by means of materially false and fraudulent pretenses, representations, and promises. More specifically, the object of the scheme was for DICAPRIO to enrich himself by submitting and/or causing to be submitted thousands of false insurance claims for packages shipped by the Victims, on behalf and/or in furtherance of the DiCaprio Companies.

8. The investigation has shown that DICAPRIO has enriched himself by submitting and/or causing to be submitted thousands of false insurance claims for lost, damaged, and/or stolen items shipped by the Victims that were not lost, damaged, or stolen.

9. For the purpose of executing this scheme and artifice, DICAPRIO knowingly and intentionally placed and/or caused to be placed in a post office and authorized depository of mail, and caused to be sent and delivered by the United States Postal Service, certain mail matter—namely, fraudulently obtained reimbursement checks from the Victims.

10. To execute this scheme, between December 2016 to July 2019, DICAPRIO created and maintained, and/or caused to be created or maintained, hundreds of accounts with the Victims over the Internet as part of the operation of the DiCaprio Companies (the “DiCaprio Accounts”). He created the DiCaprio Accounts using various aliases, emails, and entity names.

11. DICAPRIO used the DiCaprio Accounts to, among other things, create shipment labels, ship packages throughout the United States, pay for shipments, and seek reimbursement for purportedly lost, stolen, and/or damaged packages. Specifically, for certain of the shipped packages, DICAPRIO electronically submitted and/or caused to be submitted claims over the Internet to the Victims, alleging that the packages were stolen, lost, and/or damaged (the “Fraudulent Claims”), while, in fact, the packages were not lost, stolen, or damaged.

12. After the Victims received the Fraudulent Claims over the Internet, the Victims issued reimbursement checks (the “Victim Checks”) to DICAPRIO, often in the name of his various aliases and/or the DiCaprio Companies.

13. As part of the scheme, DICAPRIO, often using aliases, opened private mailboxes (the “Private Mailboxes”) at various Commercial Mail-Receiving Agencies (“CMRA”), including CMRAs in the District of New Jersey. To facilitate the scheme, DICAPRIO used the Private Mailboxes at the CMRAs to receive the Victim Checks. DICAPRIO then deposited and/or caused to be

deposited the Victim Checks in DICAPRIO's bank accounts, including in banks in the District of New Jersey.

The Fraudulent Claims

14. Over the course of the scheme, DICAPRIO created and/or submitted, or caused to be created and/or submitted, the Fraudulent Claims. For instance, DICAPRIO submitted and/or caused to be submitted the following Fraudulent Claims electronically on Victim-1's website.

Shipment Tracking Number	Claim Number	Claim Date	Description
---4111	---0949	April 26, 2017	An electronic submission for fraudulent reimbursement check, submitted by Account Number ---921
---3134	---7424	March 3, 2019	An electronic submission for fraudulent reimbursement check, submitted by Account Number ---510
---9260	---0253	March 9, 2019	An electronic submission for fraudulent reimbursement check, submitted by Account Number ---927
---2903	---4943	March 15, 2019	An electronic submission for fraudulent reimbursement check, submitted by Account Number ---590
---7178	---6469	March 24, 2019	An electronic submission for fraudulent reimbursement check, submitted by Account Number ---927

15. Each claim listed in Paragraph 14 corresponds to a package sent to a customer who purchased an item from one of the online storefronts associated with DICAPRIO, *i.e.*, the DiCaprio Companies.

The Victim Checks

16. In response to the Fraudulent Claims, the Victims issued reimbursement checks to DICAPRIO—the Victim Checks. Specifically, Victim-1

sent the Victim Checks via United States Postal Service. For instance, for each of the claims referenced in Paragraph 14, above, DICAPRIO knowingly and intentionally caused to be placed in a post office and authorized depository of mail, and caused to be sent and delivered by the United States Postal Service, the following Victim Checks:

Claim Number	Claim Paid	Description
---0949	\$114.87	Mailing of a fraudulently obtained check, Check Number ---405, sent to Philadelphia, Pennsylvania CMRA
---7424	\$102.75	Mailing of a fraudulently obtained check, Check Number ---059, sent to Seattle, Washington CMRA
---0253	\$134.37	Mailing of a fraudulently obtained check, Check Number ---838, sent to Del Ray Beach, Florida CMRA
---4943	\$109.99	Mailing of a fraudulently obtained check, Check Number ---926, sent to Wayne, New Jersey CMRA
---6469	\$100.88	Mailing of a fraudulently obtained check, Check Number ---694, sent to Del Ray Beach, Florida CMRA

17. With respect to each of the corresponding shipments listed in Paragraph 14, above, law enforcement confirmed that the corresponding customer did not file a reimbursement claim with Victim-1. Moreover, law enforcement confirmed that the corresponding packages were neither lost/stolen or damaged.

Loss to the Victims

18. Over the course of the scheme, DICAPRIO deposited or caused to be deposited the Victim Checks in his bank accounts, including accounts for which DICAPRIO has used aliases. For example, with respect to Check Number ---405, in the amount of \$114.87, DICAPRIO deposited the reimbursement check into one of DICAPRIO's bank accounts on or about May 6, 2017.

19. As a result of this scheme, to date, DICAPRIO has received approximately \$1,700,000 in Victim Checks from the Victims, causing a loss to the Victims of that approximate amount.